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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

GARY PIERCE, Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

2011 SEP 15 P 3:28

Arizona Corporation Commission

DOCKETED

SEP 15 2011

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

DOCKETED BY

IN THE MATTER OF THE
APPLICATION OF ARIZONA-
AMERICAN WATER COMPANY, AN
ARIZONA CORPORATION, FOR A
DETERMINATION OF THE CURRENT
FAIR VALUE OF ITS UTILITY PLAN
AND PROPERTY AND FOR INCREASES
IN ITS RATES AND CHARGES BASED
THEREON FOR UTILITY SERVICE BY
ITS AGUA FRIA WATER DISTRICT,
HAVASU WATER DISTRICT, AND
MOHAVE WATER DISTRICT

DOCKET NO. W-01303A-10-0448

SUPPLEMENT TO SURPRISE
FARMS III COMMUNITY
ASSOCIATION'S MOTION TO
INTERVENE

Pursuant to the Administrative Law Judge's August 17, 2011, Procedural Order requiring specific authorization, such as a board resolution, for the specific officer of the association requesting intervention to represent the association in this matter, Surprise Farms III Community Association (the "Association") hereby files a Resolution of the Board of Directors of the Association authorizing its President, Nicholas Mascia, to represent the Association in the above-captioned matter.

DATED this 12 day of September, 2011.

SURPRISE FARMS III
COMMUNITY ASSOCIATION

President, Board of Directors
Surprise Farms III Community
Association

1 Resolution of
2 the Board of Directors of
3 Surprise Farms III Community Association

4 **Intervention in Water Rate Case**
5 **Docket No. W-01303A-10-0448**

6 **WHEREAS**, Article VII, Section 1(c) of the Bylaws of the Surprise Farms III
7 Community Association gives the Board of Directors (the "Board") the power to exercise
8 for the Surprise Farms III Community Association (the "Association") all powers, duties
9 or authority vested in the Association and not reserved to the membership;

10 **WHEREAS**, the Nonprofit Corporation Act allows the Association to sue and be
11 sued, complain and defend in its corporate name;

12 **WHEREAS**, Arizona-American Water Company (the "Company") has filed an
13 application (the "Application") with the Arizona Corporation Commission (the
14 "Commission") for a determination of the current fair value of its utility plant and
15 property and for increases in its rates and charges based thereon for utility services by its
16 Agua Fria Water District (collectively, the "Rate Case");

17 **WHEREAS**, the Application proposes a rate structure that would result in a
18 substantial increase in water rates for customers in the Agua Fria Water District;

19 **WHEREAS**, the Association is a customer of the Company's Agua Fria Water
20 District and is directly and substantially impacted by the Rate Case;

21 **WHEREAS**, Arizona Supreme Court Rule 31(d)(28) provides that a non-profit
22 corporation may be represented before the Commission by a corporate officer, employee,
23 or a member who is not an active member of the state bar, if: (a) the non-profit
24 corporation has specifically authorized the officer, employee, or member to represent it in
25 the particular matter; (b) such representation is not the person's primary duty to the non-
26 profit corporation, but is secondary or incidental to such person's duties relating to the
management or operation of the non-profit; and (c) the person is not receiving separate or
additional compensation (other than reimbursement for costs) for such representation;

27 **WHEREAS**, the Board desires to intervene in the Rate Case currently before the
28 Arizona Corporation Commission as docket number W-01303A-10-0448 in order to
29 exercise the rights of the Association with respect to the issue of a water rate increase;

30 **WHEREAS**, the Board desires to authorize its President, Nicholas Mascia, to
31 represent the Association in the Rate Case;

32 **WHEREAS**, the Board avers that such representation is not the President's
primary duty to the Association, but is incidental to his duties as President of the Board

1 of Directors and that the President will not be compensated (other than reimbursement for
2 costs) for such representation; and

3 **WHEREAS**, the Board voted to authorize its President to take all action
4 necessary to protect the Association's interests in the Rate Case.

5 **NOW, THEREFORE, IT IS RESOLVED**, that the Board authorizes its
6 President, Nicholas Mascia, to intervene in Rate Case Docket No. W-01303A-10-0448,
7 on behalf of the Association; and

8 **IT IS FURTHER RESOLVED**, that the Board authorizes its President, Nicholas
9 Mascia, to represent the Association in the Rate Case, to take all action necessary to
10 protect the Association's interests in the Rate Case, and to report back to the Board
11 accordingly.

12 The Board of Directors adopted the above-referenced resolution on September 12, 2011.

13 
14 Nicholas Mascia, President

15 **Certificate of Service**

16 **ORIGINAL** and thirteen (13) copies
17 of the foregoing filed this 15th day of
18 September, 2011 with:

19 Docket Control
20 Arizona Corporation Commission
21 1200 West Washington Street
22 Phoenix, AZ 85007

23 **COPY** of the foregoing hand-delivered
24 this 15th day of September 2011 to:

25 Teena Jibilian, Administrative Law Judge
26 Legal Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007

COPIES of the foregoing mailed
this 15th day of September 2011 to:

Janice Alward, Chief Counsel
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